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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/577,042	05/24/2000	Hyun-kwon Chung	1293.1069D/MDS	5358

21171 7590 09/24/2003

STAAS & HALSEY LLP
SUITE 700
1201 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

EXAMINER

NGUYEN, HUY THANH

ART UNIT PAPER NUMBER

2615

DATE MAILED: 09/24/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/577,042

Applicant(s)

CHUNG ET AL.

Examiner

HUY T NGUYEN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 July 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 38,39,42-44,49-59,95-101,104-112,117,121-123,127-136 and 142 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 48-55,59,105-112 and 127-133 is/are allowed.
- 6) ☒ Claim(s) 38,39,42-44,56,58,95,99-101,117-123,134,136 and 142 is/are rejected.
- 7) ☒ Claim(s) 55,104 and 135 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/304,279.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 14,16,17,19
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claim 95 is rejected under 35 U.S.C. 102(e) as being anticipated by Mine (5,966,358).

Regarding claim 95, Mine discloses a method for recording real-time information on a medium, the real time information is stored in a file information control block Tag field of a file entry for a universal disk format (column 7, lines 20-30 and column 8, line 15-25 column 9, lines 5-10)

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been

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obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 38-39, 42-44, 56, 95-96, 99-101, 117-118, 121-123, 134 and 136 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yasui (5,999,505) in view of Gotoh et al (6,292,65).

Regarding claims 38, 95 and 117, Yasui discloses a method for recording/reproducing comprising steps:

arranging and recording real time files requiring real time recording/reproduction according to real time recording/reproduction information for ensuring real time reproduction, and recording the real time recording/reproduction information in the recording medium (column 8, lines 5-28, column 11, lines 33-44, column 12, Figs. 1 and 6); and

reading real time recording/ reproducing information and real time files .

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Yasui fails to teaches the use control block Tag field of a file entry of D . However, it is noted that using UDF for optical disc is well know in the art as taught by Gotoh (Fig. 3, 25 and 26). Therefore, it would have been obvious to one of ordinary skill in the art to modify Yasui with Gotoh by using UDF including control block and tag filed for accurately controlling accessing the recorded data.

Regarding claim 39, Yasui further the recording of the real time recording/reproduction information comprises storing the real time recording/reproduction information in a file control information area of the recording medium (Fig. 6).

Regarding claim 41, Yasui further teaches storing the real time recording/reproduction information in each corresponding real time file(fig. 6).

Regarding claim 42, Yasui further teaches storing the real time recording/reproduction information associated with the real time files in a separate file from the real time files (Fig.6).

Regarding claim 43, Yasui further teaches storing the real time recording/reproduction information in a volume structure area of the recording medium (Fig. 6) .

Regarding claim 44, Yasui further teaches the real time recording/reproduction information includes file indication information indicating that the real time files require real time recording/reproduction (Fig. 6, column 8, lines 5-15, column 12).

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Regarding claims 56 and 58, Yasui further teaches reading a volume area on the recording medium; and

reproducing a file as one of the real time files in consideration of the real time recording/reproduction information if the real time recording/reproduction information exists in the volume area (column 8, lines 5-28, column 11, lines 33-44, column 12, Fig. 6).

Regarding claim 96, Yasui further teaches storing the real time recording/reproduction information in a file control information area of the recording medium (Fig. 6).

Regarding claim 99, Yasui further teaches wherein the recording of the real time recording/reproduction information comprises the real time recording/reproduction information associated with the real time files in a separate file from the real time files (Fig. 6).

Regarding claim 100, Yasui teaches storing the real time recording/reproduction information in a volume structure area of the recording medium. (Fig. 6)

Regarding claim 101, Yasui further teaches the real time recording/reproduction information includes file indication information indicating that the real time files require real time recording/reproduction (Fig. 6, column 8, lines 5-15, column 12).

Regarding claim 118, Yasui further teaches reading the real time recording/reproduction information from a file control information area of the recording medium (column 11, lines 33-44, column 12, Fig. 6).

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Regarding claim 121, Yasui further teaches wherein the recording of the real time recording/reproduction information comprises the real time recording/reproduction information associated with the real time files in a separate file from the real time files (Fig.6).

Regarding claim 122, Yasui teaches storing the real time recording/reproduction information in a volume structure area of the recording medium. (Fig. 6)

Regarding claim 123, Yasui further teaches the real time recording/reproduction information includes file indication information indicating that the real time files require real time recording/reproduction (Fig. 6, column 8, lines 5-15, column 12).

reproducing a file in consideration of the real time recording/reproduction information if the real time recording/reproduction information exists in the file area (Fig 6, column 8, lines 5-15).

Regarding claim 134 Yasui further teaches reading a volume area on the recording medium; and reproducing a file as one of the real time files in consideration of the real time recording/reproduction information if the real time recording/reproduction information exists in the volume area (Fig. 6, column 12).

Regarding claim 136, Yasui further teaches :

determining whether the real time recording/reproduction information exists in a file area; and

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reproducing a file in consideration of the real time recording/reproduction information if the real time recording/reproduction information exists in the file area (Fig 6, column 8, lines 5-15).

5. Claim 142 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yasui (5,999,505) in view of Mine (5,966,358).

Regarding claim 142, Yasui discloses a recording/ reproducing method (Figs. 1,6, column 11, lines 33-44, column 12) comprising the steps of:

recording real time files requiring real time recording and/or reproduction on a recording medium according to real time recording and/or reproduction information for ensuring real time reproduction (Fig. 6);

recording the real time recording and/or reproduction information in a file type field in an (ICB) TAG field of a file entry (column 8, lines 5-15).

Yasui fails to specifically teach that the recording/reproducing information is stored in a file entry for UDF system having a tag field

However, it is noted that using a UDF system including a file entry having ICB Tag field format is well known in the art and as taught by Mine . Mine discloses a use of UDF system having a file entry having a ICB tag field for storing the management information on a disc (column 8, lines 15-21) . It would have bee obvious to one of ordinary skill in the art to modify Yasui with Mine by using UDF system having IB Tag field with method disclosed by Yasui and storing the real time recording/ reproducing information in a file entry for the

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UDF system thereby allowing accurately controlling and processing real time file.

Allowable Subject Matter

6. Claims 48-55, 59, 105-112, and 127-133 are allowed

7. Claims 57, 104 and 135 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will

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the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUY T NGUYEN whose telephone number is (703) 305-4775. The examiner can normally be reached on 8:30AM -6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Christensen can be reached on (703) 308-9644. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to 2600 TECH CENTER customer service office whose telephone number is (703) 306-0377.

H.N
September 20, 2003


HUY NGUYEN
PRIMARY EXAMINER